



**Service of Process
Transmittal**

05/29/2018

CT Log Number 533425114

TO: Therence O Pickett, V.P., Gen Csl & Secretary
Volvo Group North America, Inc.
7900 National Service Rd
Greensboro, NC 27409-9416

RE: Process Served In Mississippi

FOR: Volvo Group North America, LLC (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Ollie Ray Shoemaker, for and on behalf of all wrongful death beneficiaries of Rodrick Shoemaker, Deceased, Pltfs. vs. Volvo Group North America, LLC, et al., Dfts.

DOCUMENT(S) SERVED: Summons, Complaint

COURT/AGENCY: Leake County Circuit Court, MS
Case # 18CV016LECCC

NATURE OF ACTION: Product Liability Litigation - Manufacturing Defect - 2015 Volvo Truck

ON WHOM PROCESS WAS SERVED: C T Corporation System, Flowood, MS

DATE AND HOUR OF SERVICE: By Certified Mail on 05/29/2018 postmarked: "Not Post Marked"

JURISDICTION SERVED : Mississippi

APPEARANCE OR ANSWER DUE: Within 30 days of the date of delivery

ATTORNEY(S) / SENDER(S): Ollie Ray Shoemaker
118 Fortune Lane
Walnut Grove, MS 39189

ACTION ITEMS: CT has retained the current log, Retain Date: 05/31/2018, Expected Purge Date: 06/05/2018

Image SOP

Email Notification, [REDACTED]

Email Notification, [REDACTED]

Email Notification, [REDACTED]

SIGNED: C T Corporation System

ADDRESS: 645 Lakeland East Drive
Suite 101
Flowood, MS 39232

TELEPHONE: 214-932-3601

Volvo Group North
645 Lakeland Dr E
RD. 101
Flowood, MS 39232



7017 1000 0000 2389 9656



1000



39232

MAY 25, 18
AMOUNT

\$6.41

R2305K132092-02

USA



Barn Swallow

RETURN RECEIPT
REQUESTED

Volvo Group North
645 Lakeland DR E
RD 101
Flowood, MS 39232



IN THE CIRCUIT COURT OF LEAKE COUNTY, MISSISSIPPI

OLLIE RAY SHOEMAKER, FOR AN ON BEHALF
OF ALL WRONGFUL DEATH BENEFICIARIES
OF RODRICK SHOEMAKER, DECEASED

PLAINTIFFS

vs.

CAUSE NO.

18-CV-016-LE-cc

VOLVO GROUP NORTH AMERICA, LLC,
JOHN DOES 1-100, UNKNOWN CORPORATIONS A-Z

DEFENDANT

SUMMONS

STATE OF MISSISSIPPI
COUNTY OF RANKIN

TO: Volvo Group North America, LLC
c/o CT Corporation
645 Lakeland E Drive, No. 101
Flowood, MS 39232

THE COMPLAINT, WHICH IS ATTACHED TO THIS SUMMONS, IS
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTIONS TO PROTECT
YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to:

Ollie Ray Shoemaker
118 Fortune Lane
Walnut Grove, MS 39189

Your response must be mailed or delivered within thirty (30) days from the date
of delivery of this Summons and Complaint or a judgment by default will be entered
against you for the relief demanded in the complaint.

You must also file the original of your response with the Clerk of this Court
within a reasonable time afterward.

Issued under my hand and seal of said Court, this the 19th day of April,
2018.

By:

Ken B. Adcock
Shirley J. Adcock
DEPUTY CLERK



02-01-18;12:21 ;From:Leake County High School To:16623503352 ;6012530100

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IN THE CIRCUIT COURT OF LEAKE COUNTY, MISSISSIPPI

**OLLIE RAY SHOEMAKER,
FOR AND ON BEHALF OF
ALL WRONGFUL DEATH BENEFICIARIES
OF RODRICK SHOEMAKER, DECEASED**

PLAINTIFFS

VS.

CAUSE NO.:

**VOLVO GROUP NORTH AMERICA, LLC,
JOHN DOES 1-100, UNKNOWN CORPORATIONS
A-Z**

DEFENDANTS

COMPLAINT

JURY TRIAL REQUESTED

COMES NOW the Plaintiff, Ollie Ray Shoemaker, for and on behalf of all wrongful death beneficiaries, by and through his attorney of records, and amends this Complaint against the Defendants, Volvo Group North America, LLC, John Does 1-100, and Unknown Corporations A-Z, for negligence, breach of express warranty, breach of implied warranty, breach of warranty of fitness for particular purpose, breach of implied and express warranty of merchantability and habitability, breach of other written and implied promises of sale, and warranties, and would show unto the Court as follows:

1.

The Plaintiff, Ollie Ray Shoemaker, is an adult resident citizen of Leake County, Mississippi, whose address is 118 Fortune Lane, Walnut Grove, Mississippi, 39189.

FILED
JAN 25 2018
KEN ADCOCK
CIRCUIT CLERK

02-01-18;12:21 ;From:Leake County High School To:16623503352 ;6012530100

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2.

The Defendant, Volvo Group North America, LLC, is a Delaware corporation doing business in the State of Mississippi, and may be served with process through its Registered Agent, CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, MS 39232.

3.

The Defendants, John Does 1-100, and Unknown Corporations A-Z are unknown entities who are or may be liable in this matter whose identity and addresses are unknown at this time.

4.

The Court has jurisdiction of the parties and of the subject matter of this suit.

5.

Trial by Jury is respectfully sought and requested by Plaintiffs,

6.

On January 26, 2015, Rodrick Shoemaker was a truck driver for La-z Boy Logistics with its principal place of business at 402 Old Knoxville Highway, New Tazewell, TN 37825. On January 26, 2015, Mr. Shoemaker was found dead in his truck in the sleeping quarters from carbon monoxide. The make and model of said truck was a 2015 Volvo Truck.

7.

That Defendants were negligent in the manufacturing of the truck as it allowed carbon monoxide to enter the sleeping quarters of said truck causing Rodrick Shoemaker to die from carbon monoxide.

8.

The death of Rodrick Shoemaker has caused the Plaintiff and all wrongful death beneficiaries pain and suffering and emotional distress all of which will continue for the rest of their life.

9.

The acts and/or omissions of the Defendants were the proximate cause of the death of Rodrick Shoemaker. The acts and/or omissions of Defendants constitute the combined, concurrent, and joint negligence, breach of express warranty, breach of implied warranty of fitness, breach of implied warranty of merchantability, and strict liability for which Defendants are jointly and/or severally liable to Plaintiffs.

10.

Defendants, jointly and severely, were careless and negligent in designing the truck, manufacturing the truck, testing, selling and placing into the stream of commerce, the truck, described in this Complaint, in such defective condition, and in failing to warn potential purchasers and users of the inherently dangerous characteristics of that product such as carbon monoxide in sleeping chamber.

11.

Defendants were negligent in that a reasonable and prudent architect/engineer/designer would not design a truck that would allow carbon monoxide into the sleeping quarters of said truck.

12.

Defendants had actual knowledge that the purchasers and users of said truck as described in this complaint, and in particular Rodrick Shoemaker would be using

said truck on a daily basis as described in this Complaint, and this use would create a positive and substantial risk of serious bodily harm for people in the same or similar position as Plaintiff.

13.

Defendants failed to warn purchasers of the chances of carbon monoxide coming into the sleeping quarters of said truck.

14.

The above mentioned acts of negligence and intentional violations of the laws of this State on the part of Defendants were willful, wanton, malicious or at the very least grossly negligent, thereby warranting and justifying an award of punitive damages pursuant to Section 11-1-65 of the Mississippi Code, in the maximum sum permitted under part (3)(a) of that Statute.

WHEREFORE PREMISES CONSIDERED, Plaintiff demands judgment against Defendants for actual damages in an amount to be determined at the trial of this cause and judgment against Defendants for punitive damages in an amount to be determined at the trial of this cause plus interests and costs.

Respectfully submitted on this the 25th day of January, 2018.

OLLIE RAY SHOEMAKER, FOR AND ON BEHALF
OF ALL WRONGFUL DEATH BENEFICIARIES,
PLAINTIFFS

BY: 

FILED

JAN 25 2018

KEN ADCOCK
CIRCUIT CLERK